

REMARKS

Claims 1-21 are pending in this Application and have been amended. Claims 1-3 have been amended to claim a proxy server rather than a communication system. Similarly, Claim 4-15 have been amended to claim a proxy server rather than a storage device. Claims 1 and 4 have also been amended to require a receiver. Support for these amendments can be found on page 3 lines 1-14.

Claims 1, 4, and 16 have also been amended to indicate that the transmitter is configured to transmit at least a portion of the stored content so that the communication device does not need to store the content. Support for this amendment can be found on page 1, lines 13-15, page 3, lines 31-35, and page 5, lines 3-10. Claim 14 has been amended to delete some extraneous wording. Claim 21 has been amended to be consistent with Claim 16.

As such, the amendments do not add new matter.

OBJECTION TO THE SPECIFICATION / CLAIM 14

The Examiner objected to the specification asserting that the specification did not provide antecedent basis for a portion of Claim 14. Claim 14 has been amended to address the Examiner's concern.

REJECTIONS UNDER 35 U.S.C. § 102

The Examiner rejected Claims 1-3 and 16-21 under Section 102(e) citing "Ortiz (U.S. Pub No. 6,625,447). The '447 reference is a patent issued to Rossman and is not included in the Examiner's "Notice of References Cited." However, included in that Notice is a reference to U.S. Pub. No. 2002/0058499 submitted by Ortiz. The Examiner's arguments for rejecting Claims 1-3 and 16-21 under § 102 are consistent with the text and figures found in the '499 publication. It is assumed that the Examiner meant to cite the '499 publication (Ortiz) rather than the '447 patent (Rossman).

Claims 1-3: As amended, Claim 1 is directed to a proxy server and requires the following limitations:

1. a receiver configured to receive content from a service provider;

2. a storage device coupled to the receiver and configured to store the content;
and
3. a transmitter coupled to the storage device, the transmitter being configured to transmit at least a portion of the content stored in the storage device to at least one communication device so that the communication device can utilize the content portion without requiring the communication device to store the content.

Ortiz is directed to a method enabling a wireless device such as a PDA (Personal Digital Assistant) to locate and communicate directly with a rendering device such as a printer. *See*, Ortiz, paragraph 12. Ortiz does not teach a proxy server having a receiver, a storage device, and a transmitter configured as required by Claim 1. When rejecting Claim 1, the Examiner mistakenly asserts that reference numbers 6, 7, 28, 30 of Ortiz, Figs. 2 and 3 teach a storage device capable of receiving content from a service provider and storing the content as well as a transmitter capable of transmitting stored content to a communication device.

Number 7 of Ortiz, Fig. 2 refers to a "Data Rendering Device (DRD)." Ortiz, paragraph 47. A DRD 7 is described to include a memory 30 for retrieval by a "network" or a wireless device. Ortiz, paragraph 49. Ortiz fails, however, to teach a storage device capable of retrieving content as argued by the Examiner. Ortiz merely teaches a means of storage from which data can be retrieved.

Number 6 of Ortiz, Fig. 1 refers to a Wireless Device and as noted above number 7 refers to a digital rendering device." The Examiner mistakenly asserts that these two components teach a transmitter that is coupled to a storage device and capable of transmitting stored content to a communication device. Wireless device 6, sends instructions to digital rendering device 6 to render data. In doing so, the devices communicate back and forth via a wireless link. *See, e.g.*, Ortiz, paragraphs 47 and 48. Ortiz fails, however, to teach a proxy server that includes a transmitter coupled to a storage device and configured to transmit stored content to a communication device so that the communication device does not need to store the content as required by Claim 1.

For these reasons, Claim 1 is felt to distinguish over Ortiz. Claims 2 and 3 each depend from Claim 1 and are also felt to distinguish over Ortiz for the same reasons.

Claims 16-21: As amended, Claim 16 is directed to a method for proxying content and requires the following limitations:

receiving content from a service provider using a receiver;
storing the content in a storage device coupled to the receiver; and
transmitting at least a portion the content with a transmitter coupled to the storage device to at least one communication device within a range of the transmitter so that the communication device can utilize the content portion without requiring the at least one communication device to store the content.

As pointed out above with reference to Claim 1, Ortiz fails to teach transmitting content with a transmitter coupled to a storage device to a communication device so that the communication device can utilize the content portion without requiring the communication device to store the content. For at least this reason, Claim 16 is felt to distinguish over Ortiz. Claims 17-21 each depend from Claim 16 and are also felt to distinguish over Ortiz for at least the same reason.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected Claims 4-13 and 15 under Section 103 citing Ortiz in view of USPN 6,058,489 issued to Shultz. As amended, Claim 4 is directed to a proxy server configured to receive content from a service provider and store the content and requires the following limitations:

1. a receiver configured to receive the content;
2. a disk drive unit coupled to the receiver and configured to store the content;
and
3. at least one transmitter coupled to the disk drive unit, the at least one transmitter being configured to transmit at least a portion of the content stored in the disk drive unit to at least one communication device within a range of the transmitter so that the communication device can utilize the content portion without requiring the communication device to store the content.

As pointed out above with reference to Claim 1, Ortiz with or without Shultz does not teach a proxy server having a receiver, a disk drive or any other storage

device, and a transmitter configured as required by Claim 4. Ortiz, alone or combination with Shultz, fails to teach a storage device capable of retrieving content as argued by the Examiner. Ortiz merely teaches a means of storage from which data can be retrieved. Ortiz, alone or in combined with Shultz, also fails to teach a proxy server that includes a transmitter coupled to a storage device and configured to transmit stored content to a communication device so that the communication device does not need to store the content.

For these reasons, Claim 4 is felt to distinguish over Ortiz and Shultz. Claims 5-13 and 15 each depend from Claim 4 and are also felt to distinguish over Ortiz and Shultz for the same reasons.


The Examiner rejected Claim 14 citing Ortiz in view of Shultz in further view of U.S. Pub. No. 2002/0065065 submitted by Lunsford. Claim 14 depends from Claim 4 and includes all the limitations of that base Claim. For at least the same reasons Claim 4 is felt to be patentable, so is Claim 14.

CONCLUSION

Claims 1-21 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,
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